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5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**
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8 STEPHEN ZARATE,

9 Plaintiff(s),

10 v.

11 IVANA ARAMARK, et al.,

12 Defendant(s).

Case No. 2:22-cv-01449-APG-NJK

ORDER

[Docket No. 16]

13 On January 14, 2023, the Court screened Plaintiff's complaint, concluding that claims
14 could proceed against Defendants Ivana Aramark, Trinity Troy, and Warden John Doe. Docket
15 No. 10. Pertinent to the matters now at hand, the Court ordered therein as follows:

16 I further order the Clerk of the Court to issue summonses for
17 defendants Ivana Aramark, and Trinity Troy, and deliver the same
18 to the U.S. Marshal for service. The Clerk of the Court is also
19 directed to send sufficient copies of the SAC (ECF No. 7) and this
20 order to the U.S. Marshal for service on Aramark and Troy.

21 I further order the Clerk of the Court to send Zarate three USM-285
22 forms. Zarate will have 30 days within which to furnish to the U.S.
23 Marshal the required USM-285 forms with relevant information as
24 to Aramark and Troy.

25 I further order that within 20 days after receiving from the U.S.
26 Marshal copies of the USM-285 forms showing whether service has
27 been accomplished, Zarate must file a notice with the Court
28 identifying if Aramark and Troy had been served.

Docket No. 10 at 9.

It appears that the Court received the USM-285 forms for Defendants Aramark and Troy
on January 25, 2023, but they were docketed¹ and were not routed to the Marshal Service. Docket

¹ The docket had erroneously reflected that the defendants had been served, but the docket
has since been corrected. See Docket No. 12 (docket text).

1 No. 12.² On March 16, 2023, the Marshal Service filed a notice that service was not attempted
2 because it had not been provided the USM-285 forms. Docket No. 14.

3 Given the circumstances, the Court hereby **ORDERS** as follows:

4 (1) the Clerk's Office is to reissue summonses for Defendants Aramark and Troy, and
5 deliver the same to the U.S. Marshal for service;

6 (2) the Clerk's Office is also directed to send sufficient copies of the second amended
7 complaint (Docket No. 7) and this order to the U.S. Marshal for service on Defendants
8 Aramark and Troy;

9 (3) the Clerk's Office is directed to provide copies of the filed USM-285 forms for
10 Defendants Aramark and Troy (Docket No. 12) to the U.S. Marshal; and

11 (4) within 20 days after receiving from the U.S. Marshal copies of the USM-285 forms
12 showing whether service has been accomplished, Plaintiff must file a notice with the
13 Court identifying if Aramark and Troy had been served.

14 In light of the above, the Court **DENIES** as moot Plaintiff's motion for a status check.
15 Docket No. 16.

16 IT IS SO ORDERED.

17 Dated: November 16, 2023

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19 _____
20 Nancy J. Koppe
21 United States Magistrate Judge
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26 _____
27 ² The Court also received a USM-285 form for "Warden Sheriff Joe Lombardo," Docket
28 No. 13, but the screening order had not authorized such service. If Plaintiff believes he has
identified a doe defendant, he must file a motion seeking to amend the pleadings to name that
defendant. This order focuses on the service on Defendants Aramark and Troy.